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RESOLUTION NO. 04-125

**RESOLUTION DIRECTING AND ORDERING A PUBLIC HEARING ON THE
ADVISABILITY OF AN IMPROVEMENT**

A resolution directing and providing for a public hearing on the advisability of improvements consisting of paving **ELM, FROM THE EAST LINE OF SHERIDAN TO THE WEST LINE OF MT. CARMEL, 472-83950**, in the City of Wichita, Kansas, all as provided by KSA 12-602. Said hearing shall be held on **April 6, 2004** in the City Council Chambers of City Hall at 9:00 a.m.

Be it further resolved: That the City Clerk of the City of Wichita, Kansas shall give notice of the aforesaid public hearing by publication in the official city newspaper in the manner provided by KSA 12-602 in the following form:

NOTICE OF HEARING

NOTICE OF HEARING ON IMPROVEMENTS CONSISTING OF PAVING **ELM, FROM THE EAST LINE OF SHERIDAN TO THE WEST LINE OF MT. CARMEL, 472-83950**, IN THE CITY OF WICHITA, KANSAS.

Notice is hereby given that the Governing Body of the City of Wichita, Kansas will hold a hearing as provided by KSA 12-602, at its regular meeting on **April 6, 2004**. Said meeting to be held in the City Council Chambers of the City Building, 455 North Main Street at 9:00 a.m. Said hearing to begin at 9:00 a.m., for the purpose of considering the advisability of the following improvements:

SECTION 1. That it is necessary and in the public interest to pave **ELM, FROM THE EAST LINE OF SHERIDAN TO THE WEST LINE OF MT. CARMEL, 472-83950**.

Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 2. That the estimated and probable cost of the foregoing improvement being **Fifty Thousand Dollars (\$50,000)**, exclusive of the cost of interest on borrowed money, with **the total** payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **May 1, 2004**.

SECTION 3. That the cost of said improvement attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

SIMPSON'S ADDITION

Lots 13-48 Inclusive, Block 9

S.A. KING'S SUBDIVISION TO SIMPSON'S ADDITION

Lots 1-22, Inclusive

LEMON FOURTH ADDITION

Lot 1

The N 1/2 of Lot 2

SECTION 4. That the method of assessment of all costs for the improvements for which the improvement district shall be liable shall be on a **square foot** basis.

Except when driveways are requested to serve a particular tract, lot, or parcel and shall be in addition to the assessment for other improvements. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

The hearing may be adjourned from time to time until the Governing Body of the City of Wichita, Kansas shall have made findings by resolution as to the advisability of the improvements, the nature of the improvements, the estimated cost, the boundaries of the improvement district and the method of assessment, all as finally determined by the said Governing Body: Provided the area of the proposed improvement district to be assessed may be less than but shall not exceed the area proposed to be assessed as stated in this Notice of Hearing without giving notice and holding a new hearing on the improvements. All persons desiring to be heard with reference to the proposed improvements will be heard at this hearing.

ADOPTED at Wichita, Kansas, March 16, 2004.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SCHOFIELD, CITY CLERK

(SEAL)